

EXHIBIT C

From: [AAA Amie Chale](#)
To: [Ted Kapke](#); [Tieman, Matthew W](#); [Andy Schermerhorn](#)
Cc: [Clayton, Lewis R](#); [Carey, Jessica](#); [Recher, Jeffrey J](#); [Kaye, Joshua D](#); [Fine, Livia](#); [Kovalenko, Nina](#); [Hershman, Sara E](#); [Young, Spencer E](#); [Luhring, Alexander L](#); ["scott.hecht@stinson.com"](#); ["chris.leopold@stinson.com"](#); [Adams, Rob \(SHB\)](#); [Songer, Ann \(SHB\)](#); [Cargnel, Mike \(SHB\)](#); [Shearer, Rick \(SHB\)](#); [cbidwell@shb.com](#); [Jeffrey E. Elkins \(jelkins@shb.com\)](#); [Van Thournout, Darin J. \(SHB\)](#); [Jason Zager \(jzager@shb.com\)](#); ["Ken McClain"](#); ["bwhite@wagblaw.com"](#); [Mike Fleming](#); ["bcarr@wagblaw.com"](#); [John Klamann](#); ["Jonathan M. Soper"](#); ["Chelsea McClain Pierce"](#); ["J'Nan Kimak"](#); [tarri@wagblaw.com](#); [Muscat, Shawn](#); [Bland, Kelly \(SHB\)](#)
Subject: RE: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal
Date: Tuesday, February 16, 2021 5:48:14 PM
Attachments: [image002.png](#)
[image006.png](#)
[image9d02ff.PNG](#)

Dear Counsel:

We have made the parties contentions a part of the file. The parties may submit their positions to the appellate arbitrator for review.

The AAA will be proceeding and providing a list of appellate arbitrators shortly.

Thank you.



AAA Amie Chale
Manager of ADR Services

American Arbitration Association

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From: Ted Kapke <ted@kapkewillerth.com>
Sent: Thursday, February 11, 2021 12:59 PM
To: Tieman, Matthew W <mtieman@paulweiss.com>; AAA Amie Chale <AmieChale@adr.org>; Andy Schermerhorn <ajs@klamannlaw.com>
Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Fine, Livia <lfine@paulweiss.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; Mike Fleming <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <jklamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; 'J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>
Subject: RE: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

***** External E-Mail – Use Caution *****

Ms. Chale:

Respondent is welcome to make its argument to Judge Wimes. This matter is, now, in front of him for the purposes affirming the arbitration award. If the AAA were to adopt Respondent's argument, it would not matter if an appeal were a week late or a decade late, the Respondent could simply seek to avoid the enforcement of a final judgment by declaring, unilaterally, the right to an untimely appeal through arbitration. The AAA's jurisdiction is not so broad. This is now a matter for the Court.

If Respondent is right, it can make the same argument to Judge Wimes in a motion compel arbitration. However, Respondent is not right and is simply seeking to enlist the AAA to assist in its efforts to delay and avoid a final judgment.

Regards,
Ted Kapke

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From: Tieman, Matthew W <mtieman@paulweiss.com>
Sent: Thursday, February 11, 2021 1:41 PM
To: AAA Amie Chale <AmieChale@adr.org>; Ted Kapke <ted@kapkewillerth.com>; Andy Schermerhorn <ajs@klamannlaw.com>
Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Fine, Livia <lfine@paulweiss.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; Mike Fleming <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <jklamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>
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Dear Ms. Chale,

As you noted earlier today, the timeliness of the notice of appeal is a matter that may be decided by an arbitrator. This arbitration proceeding has not been stayed. Claimant's motion to confirm filed in the Western District of Missouri is without merit because the notice of appeal was timely filed with the AAA. Accordingly, DST is prepared to move forward with selecting an arbitrator to hear the appeal.

Respectfully submitted,

Matthew W. Tieman | Associate

Paul, Weiss, Rifkind, Wharton & Garrison LLP

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212 373 3957 (Direct Phone) | 212 492 0957 (Direct Fax)

From: AAA Amie Chale <AmieChale@adr.org>
Sent: Thursday, February 11, 2021 1:01 PM
To: Ted Kapke <ted@kapkewillerth.com>; Tieman, Matthew W <mtieman@paulweiss.com>; Andy Schermerhorn <ajs@klamannlaw.com>
Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; Mike Fleming <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <klamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>
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We ask that the Respondents please submit any comments to the below as soon as possible.

Thank you.



AAA Amie Chale
Manager of ADR Services

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From: Ted Kapke <ted@kapkewillerth.com>
Sent: Thursday, February 11, 2021 9:48 AM
To: AAA Amie Chale <AmieChale@adr.org>; Tieman, Matthew W <mtieman@paulweiss.com>; Andy Schermerhorn <ajs@klamannlaw.com>
Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; Mike Fleming <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <klamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>
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Ms. Chale:

Because Respondent failed to timely appeal, Claimant has filed its Petition to Confirm the Award in the United States District Court

for the Western District of Missouri.

We do not believe the AAA to have continuing jurisdiction since the appeal deadline was missed. Since a Petition to Confirm the Award has been filed, it is our understanding that the AAA is obligated to stay this matter until a ruling by the Federal Court in Missouri. I am sure that DST can make its arguments to the Court in Missouri.

Regards,
Ted Kapke

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From: AAA Amie Chale <AmieChale@adr.org>
Sent: Thursday, February 11, 2021 11:38 AM
To: Tieman, Matthew W <mtieman@paulweiss.com>; Andy Schermerhorn <ajs@klamannlaw.com>
Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jbod@paulweiss.com>; Hershman, Sara E <shersman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; Ted Kapke <ted@kapkewillerth.com>; Mike Fleming <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <klamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>
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Dear Counsel:

The AAA will be providing a list of appellate arbitrators shortly. The issue can be addressed with the arbitrator immediately upon appointment.

Thank you.



AAA Amie Chale
Manager of ADR Services

American Arbitration Association

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From: Tieman, Matthew W <mtieman@paulweiss.com>

Sent: Monday, February 1, 2021 12:40 PM

To: Andy Schermerhorn <ajs@klamannlaw.com>; AAA Amie Chale <AmieChale@adr.org>

Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; <cbidwell@shb.com>; Jeffrey E. Elkins (<jelkins@shb.com>) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (<jzager@shb.com>) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; 'ted@kapkewillerth.com' <ted@kapkewillerth.com>; 'Mike Fleming' <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <jklamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; <tarri@wagblaw.com>; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>

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Amie,

We are not going to engage in a lengthy back and forth with Mr. Schermerhorn. Suffice it to say he clearly is wrong about the date on which the award was issued. We have attached your email and attached letter issuing the award—each dated December 2, 2020. As we mentioned, the AAA case file also confirms that December 2, 2020 is the date of the award. DST did not receive any award in this matter on November 24, 2020, as Mr. Schermerhorn seems to wrongly suggest.

DST has noticed the appeal and will await the materials regarding the arbitrator selection. There of course is nothing in the Arbitration Agreement, and Mr. Schermerhorn does not point to anything, that provides the AAA with any discretion over whether to accept an appeal.

Regards,

Matthew W. Tieman | Associate

Paul, Weiss, Rifkind, Wharton & Garrison LLP

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From: Andy Schermerhorn <ajs@klamannlaw.com>

Sent: Monday, February 1, 2021 3:07 PM

To: Tieman, Matthew W <mtieman@paulweiss.com>; AAA Amie Chale <AmieChale@adr.org>

Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer,

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Amie, Mr. Tieman makes no sense. The AAA doesn't issue awards. Arbitrators issue awards.

The award here is clearly dated November 24, 2020. Mr. Tieman is not allowed to recreate events or tell lies to account for DST's failure to appeal within the timeframe stipulated by the parties. DST wrote the Arbitration Agreement and has compelled and required its strict enforcement. Now, having lost an arbitration and having failed to timely appeal, DST asks the AAA to breach the parties' agreement on its behalf. You cannot. DST can seek an order compelling arbitration from the District Court of Missouri if it believes that further arbitration proceedings are permitted or required.

Kindly,

Andy Schermerhorn
Attorney
The Klamann Law Firm
ajs@klamannlaw.com
(816) 421-2626

From: Tieman, Matthew W <mtieman@paulweiss.com>

Sent: Monday, February 1, 2021 1:59 PM

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Ms. Chale,

Mr. Schermerhorn is incorrect. The award was issued by the AAA on behalf of the arbitrator on December 2, 2020. The award was not issued or distributed to the parties on November 24, 2020. The AAA case file also confirms that the date of the award is December 2, 2020. The notice of appeal therefore was served by DST in advance of the 60-day period contemplated by the Arbitration Agreement.

In any event, any argument Mr. Schermerhorn might make should be directed to the arbitrator once selected.

Regards,

Matthew W. Tieman | Associate
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From: Andy Schermerhorn <ajs@klamannlaw.com>

Sent: Friday, January 29, 2021 8:41 PM

To: Tieman, Matthew W <mtieman@paulweiss.com>; AAA Amie Chale <AmieChale@adr.org>

Cc: Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <jrecher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhtring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; 'cbidwell@shb.com' <cbidwell@shb.com>; Jeffrey E. Elkins <jelkins@shb.com>; 'Van Thournout, Darin J. (SHB)' <dvanthournout@shb.com>; Jason Zager <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; 'ted@kapkewillerth.com' <ted@kapkewillerth.com>; 'Mike Fleming' <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <jklamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; 'J'Nan Kimak <jck@hfmlegal.com>; 'tarri@wagblaw.com' <tarri@wagblaw.com>; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>

Subject: Re: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Ms. Chale,

I am not sure why Mr. Tieman has resubmitted the same request as before, but as I've already stated, you do not have authority to accept DST's Notice of Arbitration Appeal in the matter of *Alice Wright v. DST Systems, Inc.*, AAA Case No. 01-19-0001-9073. The deadline for filing an appeal has already run. The Decision was issued on **November 24, 2020**. The Decision date is clearly and unmistakably identified in the Decision.

The Arbitration Agreement clearly states that notice of an appeal must be filed within 60 days of the decision. The deadline for filing an appeal in the *Wright* matter was Saturday, January 23, 2021. DST has always insisted on a strict reading of the Agreement. Here, the Agreement forbids their late and untimely "Notice of Arbitration Appeal."

Sincerely,

Andy Schermerhorn
Attorney
The Klamann Law Firm
ajs@klamannlaw.com
(816) 421-2626

From: Tieman, Matthew W <mtieman@paulweiss.com>

Sent: Friday, January 29, 2021 7:21 PM

To: AAA Amie Chale <AmieChale@adr.org>

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Subject: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Ms. Chale,

In accordance with the parties' arbitration agreement, attached please find DST's Notice of Arbitration Appeal in the matter of *Alice Wright v. DST Systems, Inc.*, AAA Case No. 01-19-0001-9073.

Regards,

Matthew W. Tieman | Associate
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